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REMARKS

The present amendment is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-3, 5-6, 8-12, 15-29, 34-39, 43-46 are pending in the application.

Claims 1-3, 5-6, 8-12, 15-29, 34-39, 43-46 have been rejected.

Claims 27 and 43 have been amended for clarification. Applicants respectfully assert that no new matter has been added.

CLAIM REJECTIONS

Double Patenting Rejections

In the Office Action, the Examiner rejected claims 1, 9-12, 15-27, 34, 36-38 and 45 as provisionally rejected on the ground of non-statutory obviousness-type patenting as being unpatentable over claims 1,3, 5-8, 13-15, 17-23, 30-32 and 34-37 of co-pending application No. 10/451,371.

Applicants hereby offer to withdraw co-pending application No. 10/451,371 without prejudice or to provide a terminal disclaimer upon allowance of claims in the present application.

35 U.S.C. § 103 Rejections

Claims 1, 3, 5-6, 8-12, 15-29, 34-39 and 43-44 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Ignatius et al. (US 6,542,972) in view of Glowny et al. (US 2001/0040942).

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Claim 2 was rejected under 35 U.S.C. § 103(a), as being unpatentable over Ignatius et al. (US 6,542,972) in view of Glowny et al. (US 2001/0040942) and further in view of Wilde (US 5,991,753).

Claims 45-46 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Ignatius et al. (US 6,542,972) in view of Glowny et al. (US 2001/0040942) and further in view of Hall et al. (US 2002/0039408).

Applicants respectfully traverse these rejections in view of the remarks that follow.

Without consenting to the appropriateness of the combination, Applicants respectfully assert that the combination of Ignatius and Glowny does not teach or suggest "automatically analyzing the content of the audio or video data to determine at least one characteristic of the content" and further "generating metadata associated with the at least one characteristic of the automatically analyzed content" and further "selecting one of a plurality of storage options ... according to said CTI metadata or generated metadata and according to at least one rule", as recited by amended claim 1.

Likewise, Applicants respectfully assert that the combination of Ignatius and Glowny does not teach or suggest, at least, "an analysis module for analyzing the content of the data to determine at least one characteristic of the content of the data and to generate metadata associated with the at least one characteristic of the analyzed content" and further "a rule engine to compare at least a portion of the generated metadata or the CTI/CRM metadata to at least one rule and to select one of a plurality of storage options, as recited by claims 27 or 43.

Ignatius is directed to a computer storage system that includes a processor that support the operation of a software application and stores data generated by the software application into a plurality of storage media (see col. 1, lines 40-44).

Ignatius discloses examining data for particular characteristics and using the particular characteristics to select a particular storage policy (see col. 2, lines 40-45). The particular characteristics of the data includes: 1) the type of the user, e.g. if the user is a manager or a secretary (see col. 7, lines 55-57); 2) the source of the data,

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namely, which application generated the data, e.g. word processing or image processing (see col. 7, lines 58-59); 3) the file type (see col. 7, lines 65-65; 4) the user network locations (see col. 8, line 1.); and 5) the available storage space (see col. 8, lines 4-7).

These characteristics are not characteristics of the content determined by automatically analyzing the content. Further, Ignatius does not teach or suggest any generation of metadata.

The Examiner correctly noted in the Office action that Ignatius fails to teach "(1) automatically analyzing the content of the audio or video data to determine at least one characteristic of the content; (2) generating metadata associated with the at least one characteristic of the automatically analyzed content". However, the Examiner cited Glowny for this purpose.

Applicants respectfully disagree and assert that Glowny et al. does not cure the above deficiencies of Ignatius.

Glowny is directed to monitoring and recording of telephone calls in a telephone switching environment. The Office action has contended that the elements of "(1) automatically analyzing the content of the audio or video data to determine at least one characteristic of the content; (2) generating metadata associated with the at least one characteristic of the automatically analyzed content" are taught by paragraph [0305] of Glowny.

Applicants respectfully disagree. Clearly, the sentence "The CTI server performs the task of analyzing and reorganizing data from both the real-time and SMDR (asynchronous) links", cited in the Office action as teaching the above recited elements, refers to handling data within the CTI server and not for automatically analyzing the content of the telephone call.

As known in the art, a CTI server does not have the functionality of performing automatic content analysis of audio data. For example, paragraph [0003] of Gowny describes a CTI system as follows:

In a typical CTI system a telephone switch or private branch exchange (PBX) provides an interface suitable for processing by a computer, and expanded information about telephone calls is made available through this interface as the calls occur. Data fields that are available within this expanded information may

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include the external telephone number of the calling party, as well as identification numbers to help associate a series of events pertaining to the same call. With such a data link being used alongside a voice recording system, the search and retrieval system can be supplemented by constructing a database that combines the previously discussed basic search criteria with enhanced search criteria (based upon information obtained through a CTI data link) such as: telephone numbers of parties involved in the call; Caller ID (CLID) or Automatic Number Identification (ANI); Dialed Number Identification Service (DNIS); or the Agent ID Number of the Customer Service Representative.

Paragraph [0005] of Gowny describes the real-time and SMDR links as follows:

With respect to data links to provide call information to computers, there are typically two different categories of links from the PBX available. Some older links use interfaces such as SMDR (Station Message Detail Recording) or CDR (Call Detail Recording) that provide summary information about telephone calls in a line-oriented text format. Both acronyms refer to essentially the same type of system. Information from these links is generally provided after the call has concluded, and as such is suitable for billing applications or traffic analysis software. Many newer links use real-time interfaces that are designed to supply a series of events while a telephone call is still active within the PBX, to enable computer and multimedia systems to respond and interact with an external caller. The information provided by such real-time links is typically much more detailed than that provided by SMDR.

Based on the above it, Applicants respectfully assert that Gowny does not teach or suggest at least, "automatically analyzing the content of the audio or video data to

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determine at least one characteristic of the content" and further "generating metadata associated with the at least one characteristic of the automatically analyzed content", as recited by claim 1. The arguments presented above are likewise applicable for independent claims 27 and 43. Accordingly, Applicants respectfully assert that independent claims 1, 27 and 43 are allowable.

Each of claims 3, 5-6, 8-12, 15-26, 28-29 and 34-39 depends from, directly or indirectly, one of claims 1 and 27, and therefore includes all the limitations of those claims. Therefore, Applicants respectfully assert that claims 3, 5-6, 8-12, 15-26, 28-29 and 34-39 are likewise allowable.

As to claim 2, rejected over the combination of Ignatius and Glowny and further in view of Wilde, the claim is dependent from claim 1. As discussed above, claim 1 is patentable over the combination of Ignatius and Glowny. Wilde does not cure the deficiencies of the combination as it does not teach or suggest at least "automatically analyzing the content of the audio or video data to determine at least one characteristic of the content; generating metadata associated with the at least one characteristic of the automatically analyzed content", as recited by claim 1. Accordingly, claim 1 is allowable over the combination of Ignatius, Glowny and Wilde.

Claim 2 depends from claim 1 and includes all the features of the claim as well as additional distinguishing features, and is therefore allowable.

As to claims 45-46, rejected over the combination of Ignatius and Glowny and further in view of Hall, the claims are dependent from claim 43. As discussed above, claim 43 is patentable over the combination of Ignatius and Glowny. Hall does not cure the deficiencies of the combination as it does not teach or suggest at least "an analysis module for analyzing the content of the data to determine at least one characteristic of the content of the data and to generate metadata associated with the at least one characteristic of the analyzed content; a rule engine to compare at least a portion of the generated metadata or the CRM metadata to at least one rule and to select one of a plurality of storage options", as recited by claim 43. Accordingly, claim 43 is allowable over the combination of Ignatius, Glowny and Hall.

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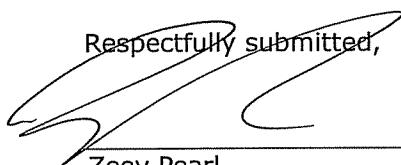
Accordingly, Applicants respectfully request that the Examiner withdraw the rejections of claims 1-3, 5-6, 8-12, 15-29, 34-39, 43-46.

Conclusion

In view of the foregoing amendments and remarks, the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,


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